

**Title:       Incidental Use of Government Property**

**Summary:**

This instruction establishes the institutional expectation as to what constitutes allowable incidental use of government property in accordance with AM 701, [Government Resources](#). This instruction also expands the AM 701 discussion to cover cellular telephones and other types of electronic equipment. This document does not change existing LANL policy regarding using government resources.

**Applicability:**

This instruction applies to all workers and visitors at Los Alamos National Laboratory (LANL) who use government property assigned to LANL workers.

**Justification:**

The purpose of this instruction is to ensure that LANL is a good steward of government (federal, state, or University of California (UC)) property and resources, while at the same time recognizing that incidental use of government property is part of the social fabric of the institution and the professional community. When we use government resources, the credibility and integrity of our institution is at stake. Accordingly, I want to ensure that managers and other workers or visitors consistently apply the provisions of AM 701.08 regarding the “occasional incidental use” of government resources. In addition to ensuring that government resources are properly used, I also am concerned about the potential loss of productive time spent on incidental use of government resources, such as excessive amounts of work time spent on personal telephone calls or e-mail.

This instruction clarifies (but does not change) the limitations on “incidental use of government resources” provided in AM 701, [Government Resources](#), and includes additional examples. This instruction is consistent with DOE O 203.1, [Limited Personal Use of Government Office Equipment Including Information Technology](#).

**Instruction:**

**Definition.** “Incidental use” of government resources means workers or visitors using that property or time for personal or community reasons other than official business. In accordance with AM 701.08, incidental use of government resources is allowed only where:

- It does not add incremental cost to the government, UC, or LANL, except where costs are reimbursed by the employee.
- It does not directly or indirectly interfere with LANL work.
- It does not interfere with the users’ obligation to LANL.
- It is not otherwise prohibited by AM 701.03, [Unacceptable Use](#).

“Incremental cost” includes among other things:

- The cost of equipment and supplies.
- Telephone charges (e.g. long distance, cell phone usage charges, roaming costs).
- The cost of workers’ time (both the affected worker and other workers such as administrative or service personnel).
- The cost of collecting charges (e.g., the cost of collecting and processing telephone bills).

**Telephones.** Incidental use of LANL (government) telephones is allowed under AM 701.04 - .07, [Acceptable Personal Use of Telephones](#). My expectation is that employees not allow personal calls to interfere with our conduct of business, and that employees limit personal calls to occasional calls of no more than 15 minutes total during the work day (except for emergencies or extenuating circumstances). This reflects my commitment to make the most of productive time and maintain good stewardship of public funds. Personal use of a telephone must be incidental, not the primary use. Managers are currently required to review and approve on a monthly basis telephone usage and charges; this review is one tool for managers to ensure that personal use of LANL telephones remains incidental.

Realizing that the concept of “local calls” has changed since AM 701 was first issued and that telephone rate structures have changed over time, incidental use may include long-distance calls where either:

- the worker or visitor reimburses UC for the long-distance charges; or
- the call does not add incremental cost to UC. (Under current rate agreements, calls to the Albuquerque, Santa Fe, or Española areas do not add incremental cost.)

However, workers and visitors who make personal calls are encouraged to make other billing arrangements, such as using a personal calling card, calling collect, or billing the call to a third party at the time of the call.

**Cellular telephones.** Incidental use of LANL (government) cell telephones is allowed under AM 701.04 - .07. My expectation is that employees limit personal use of LANL cell telephones to a bare minimum. The areas within LANL where government or non-government cell telephones may be used continues to be governed by security considerations. See LIR 406-00-01, [General Security](#), Attachment 12, Section 3.3.

- Private (non-government) cell telephones may be carried and used on LANL property and within government vehicles and buildings, subject to the exclusions in LIR 406-00-01 (non-government cell phones are prohibited within security areas, and within 50 feet of security areas, subject to the exceptions in LIR 406-00-01).
- Private cell telephones with picture-taking or recording capability are additionally governed by restrictions on carrying and using non-government cameras or recording devices. See [Controlled Articles](#) .
- LANL cell telephones are issued to workers to conduct official business, not for personal convenience. Personal use of a cell telephone must be incidental, not the primary use. Incidental use may include long-distance calls only as provided above under **Telephones**. Managers are currently required to review and approve on a monthly basis telephone usage and charges; this review is one tool for managers to ensure that personal use of LANL cell telephones remains incidental.

- Using or carrying government or non-government cell phones in General Services Administration (GSA) leased vehicles is subject to GSA requirements. See [GSA-Driver's Responsibilities](#).

I note that we have a high potential for security incidents involving privately-owned cell telephones inadvertently carried into a secure area. Workers who routinely access secure areas are encouraged to avoid bringing personal cell telephones to work.

**Pagers.** Incidental use of LANL (government) pagers is allowed under AM 701.04 - .07, [Acceptable Personal Use of Telephones](#). My expectation is that employees limit personal use of LANL pagers to a bare minimum (i.e. providing LANL pager numbers to external parties only for emergency use).

- The areas within LANL where government or non-government pagers may be used are governed by security considerations. See LIR 406-00-01, [General Security](#), Attachment 12, Section 3.5.
- Private (non-government) pagers may be carried and used on LANL property and within government vehicles and buildings. However, private two-way pagers may not be carried or used in or within 50 feet of a security area, subject to the exceptions in LIR 406-00-01.
- Carrying or using LANL (government) pagers is subject to the provisions, exclusions, and exceptions in LIR 406-00-01.

**Fax Machines.** Use of LANL (government) fax machines is governed by [Laboratory Access Procedures](#), Section VIII. D. Sending or receiving fax messages that do not relate to LANL official business is not allowed. Managers are currently required to review and approve on a monthly basis telephone usage and charges; this review is one tool for managers to ensure proper use of LANL fax machines.

**Computers.** Incidental use of LANL (government) computers is allowed under AM 701.08, [Personal Use of Electronic Information Resources](#).

- Workers may use LANL-hosted e-mail to send and receive personal e-mail, subject to the restrictions in AM 701.09 - .10. In particular, workers are reminded that their personal messages must not give the impression that they are representing UC. See AM 701.10.
- Workers may maintain e-mail address lists on LANL desktop or laptop computers for personal, community, or professional contacts, subject to the restrictions in AM 701.09 - .10.
- Computer servers may not be used for incidental use. Workers may not maintain information on LANL servers that does not pertain to official business (e.g., servers may not be used for maintaining club mailing lists or storing personal photographs).
- Workers may use LANL desktop or laptop computers to access the internet for personal use, subject to the restrictions of AM 701.03, so long as personal use is confined to non-work hours (e.g. lunch or breaks).
- Workers authorized by their line manager and property administrator to keep a LANL computer at home or another offsite location are subject to the restrictions described in AM 701.03, .09, and .10. LANL computers are issued to workers to conduct official business, not for personal convenience. Personal use of a LANL computer must be incidental, not the primary use. Justification for home use of LANL property must be clearly stated in [Form 237-R](#), Property Removal Request Form, before property is taken to a private residence.

**Other Electronic Information Equipment.** Incidental use of other types of LANL (government) electronic equipment, such as Personal Digital Assistants or Personal Electronic Devices, is allowed under AM 701.08, [Personal Use of Electronic Information Resources](#), subject to the restrictions of AM 701.03 and the security provisions in LIR 406-00-01.

**Vehicles.** Use of government vehicles is covered in AM 701.11 - .12, [Government Vehicles](#). In addition, use of GSA leased vehicles is subject to GSA requirements. See [GSA-Driver's Responsibilities](#). Workers are reminded that no smoking is allowed in GSA vehicles, alcohol is not allowed, and drivers must follow all traffic laws (including those pertaining to driving under the influence of substances which might impair judgment, e.g. alcohol, prescription drugs, or over-the-counter medications).

**Private Property.** Neither UC nor the government is responsible for personal property carried or left in government vehicles, in government facilities, on government property, or confiscated under security procedures. See AM 715, [Private Personal Property](#).

**Manager's Responsibilities.** Line managers may not prohibit activities or uses allowed under AM 701, but are responsible for ensuring that incidental use of government resources is held to reasonable limits. I expect line managers to exercise their discretion to make reasonable judgments regarding incidental use.

- In accordance with AM 701, incidental use must be “occasional” and not “indiscriminate.”
- The worker's line manager has the authority to determine if excessive work time is spent on personal activities.
- The worker's line manager has the authority to determine if use is improper under AM 701.03, .09, or .10.
- The line manager assigned line responsibility for property has the authority to determine if a worker's incidental use of government-owned property is excessive.
- The line manager assigned line responsibility for property has the authority to determine if incidental use of the property violates the provisions of AM 701.
- The worker's line manager has the authority to direct the worker to reimburse UC for telephone charges for personal calls, or use of government resources, beyond incidental use.
- In situations where it would cost UC more to collect and process charges than the amount that would be collected, the line manager may waive reimbursement. (Currently, it costs UC about \$5.00 to collect and process a check for telephone charges.)
- To help ensure consistent treatment, managers must first consult with Staff Relations, HR-SR, whenever they must determine whether an employee's use of government property is excessive or otherwise improper.

**Worker's Responsibilities.** Workers are responsible for ensuring that they meet the spirit and intent of AM 701 as well as the explicit provisions of AM 701.

- Workers may provide their LANL telephone numbers or e-mail addresses to external contacts (e.g. for directories of professional organizations or school contact lists), but are expected to use their personal judgment as to whether this would result in improper or unreasonable use of government resources.

- Workers may challenge a line manager's determination of exceeding incidental use of time or resources by following standard LANL complaint procedures.

**Variance or Exceptions.** The Director may authorize variance or exceptions to this instruction, considered on a case-by-case basis, for employees who work within controlled areas to make alternative arrangements for cellular telephone access, if under extenuating circumstances. The Director will provide this authorization only after considering written justification and after consultation with the Safeguards and Security (S) Division Leader, the Computing, Communications, and Networking (CCN) Division Leader, Laboratory Counsel, the Associate Director for Administration, and the NNSA Los Alamos Site Office if required.

**Contact:**      **Property Management Group, SUP-2, 667-6122,**  
<http://sup.lanl.gov/property/default.shtml>

or

**Telecommunications Group, CCN-4, 667-7057, <http://ccn.lanl.gov/ccn4/>**

<b>Reviewed by the Policy Office</b>	Signature	Date
Name   M. Diana Webb	Signature on File	02/03/2005

<b>Issued by the Director</b>	Signature	Date
<b>George P. Nanos</b>	Signature on File	02/04/2005

---

This instruction will remain in effect until this information is included in the relevant implementing document or otherwise rescinded.